

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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JOHN PAPPAS et al.,

Plaintiffs,

-v-

CITY OF NEW YORK,

Defendant.
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23-cv-6010 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The Court will entertain additional oral argument on April 25, at 2:00PM, addressed to the interpretation of the 2011-2018 Sergeants Benevolent Association Memorandum of Agreement. For argument, the parties should be prepared to address the interpretation that the Court, applying the relevant rules of labor contract interpretation, should give to the language “All claims arising from the application of the matters described in paragraphs II(b) and III . . . alleging violations of the federal Fair Labor Standards Act,” Dkt. No. 46-3 Section 13(V), including (a) whether the Court is to understand the language “arising from the application of the matters described in paragraphs II(b) and III” to be words of limitation, carving out certain FLSA claims from mandatory arbitration; (b) if so, what kinds of FLSA claims would be encompassed within II(b) and III (with examples); (c) if so, what kinds of FLSA claims would be excepted from mandatory arbitration (with examples); (d) how the interpretation each side gives the contractual language is sensible; and (e) whether the language is “clear and unmistakable.” The parties may address the manner in which the NYPD interprets the contractual language but should not limit themselves to the interpretation given by the agency itself.

SO ORDERED.

Dated: April 15, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge